

[DISCUSSION DRAFT]

1 **TITLE I—ENERGY EFFICIENCY**

2 **Subtitle A—Federal Programs**

3 **SEC. 101. ENERGY AND WATER SAVING MEASURES IN CON-** 4 **GRESSIONAL BUILDINGS.**

5 (a) IN GENERAL.—Part 3 of title V of the National
6 Energy Conservation Policy Act (42 U.S.C. 8251 et seq.)
7 is amended by adding at the end the following:

8 **“SEC. 552. ENERGY AND WATER SAVINGS MEASURES IN** 9 **CONGRESSIONAL BUILDINGS.**

10 “(a) IN GENERAL.—The Architect of the Capitol—

11 “(1) shall develop, update, and implement a
12 cost-effective energy conservation and management
13 plan (referred to in this section as the ‘plan’) for all
14 facilities administered by Congress (referred to in
15 this section as ‘congressional buildings’) to meet the
16 energy performance requirements for Federal build-
17 ings established under section 543(a)(1); and

18 “(2) shall submit the plan to Congress, not
19 later than 180 days after the date of enactment of
20 this section.

21 “(b) PLAN REQUIREMENTS.—The plan shall
22 include—



1 “(1) a description of the life cycle cost analysis
2 used to determine the cost-effectiveness of proposed
3 energy efficiency projects;

4 “(2) a schedule of energy surveys to ensure
5 complete surveys of all congressional buildings every
6 5 years to determine the cost and payback period of
7 energy and water conservation measures;

8 “(3) a strategy for installation of life cycle cost-
9 effective energy and water conservation measures;

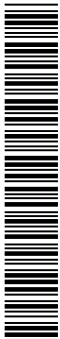
10 “(4) the results of a study of the costs and ben-
11 efits of installation of submetering in congressional
12 buildings; and

13 “(5) information packages and ‘how-to’ guides
14 for each Member and employing authority of Con-
15 gress that detail simple, cost-effective methods to
16 save energy and taxpayer dollars in the workplace.

17 “(c) ANNUAL REPORT.—The Architect of the Capitol
18 shall submit to Congress annually a report on congres-
19 sional energy management and conservation programs re-
20 quired under this section that describes in detail—

21 “(1) energy expenditures and savings estimates
22 for each facility;

23 “(2) energy management and conservation
24 projects; and



1 “(3) future priorities to ensure compliance with
2 this section.”.

3 (b) TABLE OF CONTENTS AMENDMENT.—The table
4 of contents of the National Energy Conservation Policy
5 Act is amended by adding at the end of the items relating
6 to part 3 of title V the following new item:

“Sec. 552. Energy and water savings measures in congressional buildings.”.

7 (c) REPEAL.—Section 310 of the Legislative Branch
8 Appropriations Act, 1999 (2 U.S.C. 1815), is repealed.

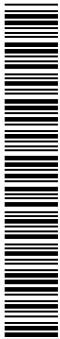
9 (d) ENERGY INFRASTRUCTURE.—The Architect of
10 the Capitol, building on the Master Plan Study completed
11 in July 2000, shall commission a study to evaluate the
12 energy infrastructure of the Capital Complex to determine
13 how the infrastructure could be augmented to become
14 more energy efficient, using unconventional and renewable
15 energy resources, in a way that would enable the Complex
16 to have reliable utility service in the event of power fluc-
17 tuations, shortages, or outages.

18 (e) AUTHORIZATION OF APPROPRIATIONS.—There
19 are authorized to be appropriated to the Architect of the
20 Capitol to carry out subsection (d), \$2,000,000 for each
21 of fiscal years 2006 through 2010.

22 **SEC. 102. ENERGY MANAGEMENT REQUIREMENTS.**

23 (a) ENERGY REDUCTION GOALS.—

24 (1) AMENDMENT.—Section 543(a)(1) of the
25 National Energy Conservation Policy Act (42 U.S.C.

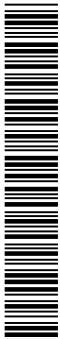


1 8253(a)(1)) is amended by striking “its Federal
2 buildings so that” and all that follows through the
3 end and inserting “the Federal buildings of the
4 agency (including each industrial or laboratory facil-
5 ity) so that the energy consumption per gross square
6 foot of the Federal buildings of the agency in fiscal
7 years 2006 through 2015 is reduced, as compared
8 with the energy consumption per gross square foot
9 of the Federal buildings of the agency in fiscal year
10 2003, by the percentage specified in the following
11 table:

“Fiscal Year	Percentage reduction
2006	2
2007	4
2008	6
2009	8
2010	10
2011	12
2012	14
2013	16
2014	18
2015	20.”.

12 (2) REPORTING BASELINE.—The energy reduc-
13 tion goals and baseline established in paragraph (1)
14 of section 543(a) of the National Energy Conserva-
15 tion Policy Act (42 U.S.C. 8253(a)(1)), as amended
16 by this subsection, supersede all previous goals and
17 baselines under such paragraph, and related report-
18 ing requirements.

19 (b) REVIEW AND REVISION OF ENERGY PERFORM-
20 ANCE REQUIREMENT.—Section 543(a) of the National



1 Energy Conservation Policy Act (42 U.S.C. 8253(a)) is
2 further amended by adding at the end the following:

3 “(3) Not later than December 31, 2014, the Sec-
4 retary shall review the results of the implementation of
5 the energy performance requirement established under
6 paragraph (1) and submit to Congress recommendations
7 concerning energy performance requirements for fiscal
8 years 2016 through 2025.”.

9 (c) EXCLUSIONS.—Section 543(c)(1) of the National
10 Energy Conservation Policy Act (42 U.S.C. 8253(c)(1))
11 is amended by striking “An agency may exclude” and all
12 that follows through the end and inserting “(A) An agency
13 may exclude, from the energy performance requirement
14 for a fiscal year established under subsection (a) and the
15 energy management requirement established under sub-
16 section (b), any Federal building or collection of Federal
17 buildings, if the head of the agency finds that—

18 “(i) compliance with those requirements would
19 be impracticable;

20 “(ii) the agency has completed and submitted
21 all federally required energy management reports;

22 “(iii) the agency has achieved compliance with
23 the energy efficiency requirements of this Act, the
24 Energy Policy Act of 1992, Executive orders, and
25 other Federal law; and



1 “(iv) the agency has implemented all prac-
2 ticable, life cycle cost-effective projects with respect
3 to the Federal building or collection of Federal
4 buildings to be excluded.

5 “(B) A finding of impracticability under subpara-
6 graph (A)(i) shall be based on—

7 “(i) the energy intensiveness of activities car-
8 ried out in the Federal building or collection of Fed-
9 eral buildings; or

10 “(ii) the fact that the Federal building or col-
11 lection of Federal buildings is used in the perform-
12 ance of a national security function.”.

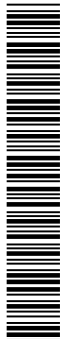
13 (d) REVIEW BY SECRETARY.—Section 543(c)(2) of
14 the National Energy Conservation Policy Act (42 U.S.C.
15 8253(c)(2)) is amended—

16 (1) by striking “impracticability standards” and
17 inserting “standards for exclusion”;

18 (2) by striking “a finding of impracticability”
19 and inserting “the exclusion”; and

20 (3) by striking “energy consumption require-
21 ments” and inserting “requirements of subsections
22 (a) and (b)(1)”.

23 (e) CRITERIA.—Section 543(c) of the National En-
24 ergy Conservation Policy Act (42 U.S.C. 8253(c)) is fur-
25 ther amended by adding at the end the following:



1 “(3) Not later than 180 days after the date of enact-
2 ment of this paragraph, the Secretary shall issue guide-
3 lines that establish criteria for exclusions under paragraph
4 (1).”.

5 (f) RETENTION OF ENERGY AND WATER SAVINGS.—
6 Section 546 of the National Energy Conservation Policy
7 Act (42 U.S.C. 8256) is amended by adding at the end
8 the following new subsection:

9 “(e) RETENTION OF ENERGY AND WATER SAV-
10 INGS.—An agency may retain any funds appropriated to
11 that agency for energy expenditures, water expenditures,
12 or wastewater treatment expenditures, at buildings subject
13 to the requirements of section 543(a) and (b), that are
14 not made because of energy savings or water savings. Ex-
15 cept as otherwise provided by law, such funds may be used
16 only for energy efficiency, water conservation, or uncon-
17 ventional and renewable energy resources projects.”.

18 (g) REPORTS.—Section 548(b) of the National En-
19 ergy Conservation Policy Act (42 U.S.C. 8258(b)) is
20 amended—

21 (1) in the subsection heading, by inserting
22 “THE PRESIDENT AND” before “CONGRESS”; and
23 (2) by inserting “President and” before “Con-
24 gress”.



1 (h) CONFORMING AMENDMENT.—Section 550(d) of
2 the National Energy Conservation Policy Act (42 U.S.C.
3 8258b(d)) is amended in the second sentence by striking
4 “the 20 percent reduction goal established under section
5 543(a) of the National Energy Conservation Policy Act
6 (42 U.S.C. 8253(a)).” and inserting “each of the energy
7 reduction goals established under section 543(a).”.

8 **SEC. 103. ENERGY USE MEASUREMENT AND ACCOUNT-**
9 **ABILITY.**

10 Section 543 of the National Energy Conservation
11 Policy Act (42 U.S.C. 8253) is further amended by adding
12 at the end the following:

13 “(e) METERING OF ENERGY USE.—

14 “(1) DEADLINE.—By October 1, 2012, in ac-
15 cordance with guidelines established by the Sec-
16 retary under paragraph (2), all Federal buildings
17 shall, for the purposes of efficient use of energy and
18 reduction in the cost of electricity used in such
19 buildings, be metered or submetered. Each agency
20 shall use, to the maximum extent practicable, ad-
21 vanced meters or advanced metering devices that
22 provide data at least daily and that measure at least
23 hourly consumption of electricity in the Federal
24 buildings of the agency. Such data shall be incor-
25 porated into existing Federal energy tracking sys-



1 tems and made available to Federal facility energy
2 managers.

3 “(2) GUIDELINES.—

4 “(A) IN GENERAL.—Not later than 180
5 days after the date of enactment of this sub-
6 section, the Secretary, in consultation with the
7 Department of Defense, the General Services
8 Administration, representatives from the meter-
9 ing industry, utility industry, energy services in-
10 dustry, energy efficiency industry, energy effi-
11 ciency advocacy organizations, national labora-
12 tories, universities, and Federal facility energy
13 managers, shall establish guidelines for agencies
14 to carry out paragraph (1).

15 “(B) REQUIREMENTS FOR GUIDELINES.—

16 The guidelines shall—

17 “(i) take into consideration—

18 “(I) the cost of metering and
19 submetering and the reduced cost of
20 operation and maintenance expected
21 to result from metering and sub-
22 metering;

23 “(II) the extent to which meter-
24 ing and submetering are expected to
25 result in increased potential for en-



1 energy management, increased potential
2 for energy savings and energy effi-
3 ciency improvement, and cost and en-
4 ergy savings due to utility contract
5 aggregation; and

6 “(III) the measurement and ver-
7 ification protocols of the Department
8 of Energy;

9 “(ii) include recommendations con-
10 cerning the amount of funds and the num-
11 ber of trained personnel necessary to gath-
12 er and use the metering information to
13 track and reduce energy use;

14 “(iii) establish priorities for types and
15 locations of buildings to be metered and
16 submetered based on cost-effectiveness and
17 a schedule of 1 or more dates, not later
18 than 1 year after the date of issuance of
19 the guidelines, on which the requirements
20 specified in paragraph (1) shall take effect;
21 and

22 “(iv) establish exclusions from the re-
23 quirements specified in paragraph (1)
24 based on the de minimis quantity of energy



1 use of a Federal building, industrial proc-
2 ess, or structure.

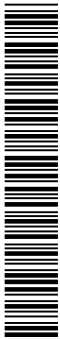
3 “(3) PLAN.—Not later than 6 months after the
4 date guidelines are established under paragraph (2),
5 in a report submitted by the agency under section
6 548(a), each agency shall submit to the Secretary a
7 plan describing how the agency will implement the
8 requirements of paragraph (1), including (A) how
9 the agency will designate personnel primarily respon-
10 sible for achieving the requirements and (B) dem-
11 onstration by the agency, complete with documenta-
12 tion, of any finding that advanced meters or ad-
13 vanced metering devices, as defined in paragraph
14 (1), are not practicable.”.

15 **SEC. 104. PROCUREMENT OF ENERGY EFFICIENT PROD-**
16 **UCTS.**

17 (a) REQUIREMENTS.—Part 3 of title V of the Na-
18 tional Energy Conservation Policy Act (42 U.S.C. 8251
19 et seq.), as amended by section 101, is amended by adding
20 at the end the following:

21 **“SEC. 553. FEDERAL PROCUREMENT OF ENERGY EFFI-**
22 **CIENT PRODUCTS.**

23 “(a) DEFINITIONS.—In this section:



1 “(1) ENERGY STAR PRODUCT.—The term ‘En-
2 ergy Star product’ means a product that is rated for
3 energy efficiency under an Energy Star program.

4 “(2) ENERGY STAR PROGRAM.—The term ‘En-
5 ergy Star program’ means the program established
6 by section 324A of the Energy Policy and Conserva-
7 tion Act.

8 “(3) EXECUTIVE AGENCY.—The term ‘executive
9 agency’ has the meaning given the term in section
10 4 of the Office of Federal Procurement Policy Act
11 (41 U.S.C. 403).

12 “(4) FEMP DESIGNATED PRODUCT.—The term
13 ‘FEMP designated product’ means a product that is
14 designated under the Federal Energy Management
15 Program of the Department of Energy as being
16 among the highest 25 percent of equivalent products
17 for energy efficiency.

18 “(b) PROCUREMENT OF ENERGY EFFICIENT PROD-
19 UCTS.—

20 “(1) REQUIREMENT.—To meet the require-
21 ments of an executive agency for an energy con-
22 suming product, the head of the executive agency
23 shall, except as provided in paragraph (2), procure—

24 “(A) an Energy Star product; or

25 “(B) a FEMP designated product.

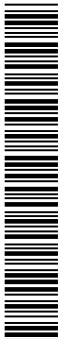


1 “(2) EXCEPTIONS.—The head of an executive
2 agency is not required to procure an Energy Star
3 product or FEMP designated product under para-
4 graph (1) if the head of the executive agency finds
5 in writing that—

6 “(A) an Energy Star product or FEMP
7 designated product is not cost-effective over the
8 life of the product taking energy cost savings
9 into account; or

10 “(B) no Energy Star product or FEMP
11 designated product is reasonably available that
12 meets the functional requirements of the execu-
13 tive agency.

14 “(3) PROCUREMENT PLANNING.—The head of
15 an executive agency shall incorporate into the speci-
16 fications for all procurements involving energy con-
17 suming products and systems, including guide speci-
18 fications, project specifications, and construction,
19 renovation, and services contracts that include provi-
20 sion of energy consuming products and systems, and
21 into the factors for the evaluation of offers received
22 for the procurement, criteria for energy efficiency
23 that are consistent with the criteria used for rating
24 Energy Star products and for rating FEMP des-
25 ignated products.



1 “(c) LISTING OF ENERGY EFFICIENT PRODUCTS IN
2 FEDERAL CATALOGS.—Energy Star products and FEMP
3 designated products shall be clearly identified and promi-
4 nently displayed in any inventory or listing of products
5 by the General Services Administration or the Defense Lo-
6 gistics Agency. The General Services Administration or
7 the Defense Logistics Agency shall supply only Energy
8 Star products or FEMP designated products for all prod-
9 uct categories covered by the Energy Star program or the
10 Federal Energy Management Program, except in cases
11 where the agency ordering a product specifies in writing
12 that no Energy Star product or FEMP designated product
13 is available to meet the buyer’s functional requirements,
14 or that no Energy Star product or FEMP designated
15 product is cost-effective for the intended application over
16 the life of the product, taking energy cost savings into ac-
17 count.

18 “(d) SPECIFIC PRODUCTS.—(1) In the case of elec-
19 tric motors of 1 to 500 horsepower, agencies shall select
20 only premium efficient motors that meet a standard des-
21 ignated by the Secretary. The Secretary shall designate
22 such a standard not later than 120 days after the date
23 of the enactment of this section, after considering the rec-
24 ommendations of associated electric motor manufacturers
25 and energy efficiency groups.



1 “(2) All Federal agencies are encouraged to take ac-
2 tions to maximize the efficiency of air conditioning and
3 refrigeration equipment, including appropriate cleaning
4 and maintenance, including the use of any system treat-
5 ment or additive that will reduce the electricity consumed
6 by air conditioning and refrigeration equipment. Any such
7 treatment or additive must be—

8 “(A) determined by the Secretary to be effective
9 in increasing the efficiency of air conditioning and
10 refrigeration equipment without having an adverse
11 impact on air conditioning performance (including
12 cooling capacity) or equipment useful life;

13 “(B) determined by the Administrator of the
14 Environmental Protection Agency to be environ-
15 mentally safe; and

16 “(C) shown to increase seasonal energy effi-
17 ciency ratio (SEER) or energy efficiency ratio
18 (EER) when tested by the National Institute of
19 Standards and Technology according to Department
20 of Energy test procedures without causing any ad-
21 verse impact on the system, system components, the
22 refrigerant or lubricant, or other materials in the
23 system.

24 Results of testing described in subparagraph (C) shall be
25 published in the Federal Register for public review and



1 comment. For purposes of this section, a hardware device
2 or primary refrigerant shall not be considered an additive.

3 “(e) REGULATIONS.—Not later than 180 days after
4 the date of the enactment of this section, the Secretary
5 shall issue guidelines to carry out this section.”.

6 (b) CONFORMING AMENDMENT.—The table of con-
7 tents of the National Energy Conservation Policy Act is
8 further amended by inserting after the item relating to
9 section 552 the following new item:

“Sec. 553. Federal procurement of energy efficient products.”.

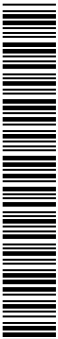
10 **SEC. 105. ENERGY SAVINGS PERFORMANCE CONTRACTS.**

11 (a) LIMITATIONS.—

12 (1) IN GENERAL.—Section 801(a) of the Na-
13 tional Energy Conservation Policy Act (42 U.S.C.
14 8287(a)) is amended by adding at the end the fol-
15 lowing subparagraph:

16 “(E) All Federal agencies combined may not, after
17 the date of enactment of the Energy Policy Act of 2005,
18 enter into more than a total of 60 contracts under this
19 title. Payments made by the Federal Government under
20 all contracts permitted by this subparagraph combined
21 shall not exceed a total of \$300,000,000.”.

22 (2) DEFINITION.—Section 804(1) of the Na-
23 tional Energy Conservation Policy Act (42 U.S.C.
24 8287c(1)) is amended to read as follows:



1 “(1) The term ‘Federal agency’ means the De-
2 partment of Defense, the Department of Veterans
3 Affairs, and the Department of Energy. ”.

4 (3) VALIDITY OF CONTRACTS.—The amend-
5 ments made by this subsection shall not affect the
6 validity of contracts entered into under title VIII of
7 the National Energy Conservation Policy Act (42
8 U.S.C. 8287 et seq.) before the date of enactment
9 of this Act, or of contracts described in subsection
10 (h).

11 (b) PERMANENT EXTENSION.—Effective September
12 30, 2005, section 801(c) of the National Energy Conserva-
13 tion Policy Act (42 U.S.C. 8287(c)) is repealed.

14 (c) PAYMENT OF COSTS.—Section 802 of the Na-
15 tional Energy Conservation Policy Act (42 U.S.C. 8287a)
16 is amended by inserting “, water, or wastewater treat-
17 ment” after “payment of energy”.

18 (d) ENERGY SAVINGS.—Section 804(2) of the Na-
19 tional Energy Conservation Policy Act (42 U.S.C.
20 8287c(2)) is amended to read as follows:

21 “(2) The term ‘energy savings’ means a reduc-
22 tion in the cost of energy, water, or wastewater
23 treatment, from a base cost established through a
24 methodology set forth in the contract, used in an ex-



1 isting federally owned building or buildings or other
2 federally owned facilities as a result of—

3 “(A) the lease or purchase of operating
4 equipment, improvements, altered operation and
5 maintenance, or technical services;

6 “(B) the increased efficient use of existing
7 energy sources by cogeneration or heat recov-
8 ery, excluding any cogeneration process for
9 other than a federally owned building or build-
10 ings or other federally owned facilities; or

11 “(C) the increased efficient use of existing
12 water sources in either interior or exterior ap-
13 plications.”.

14 (e) ENERGY SAVINGS CONTRACT.—Section 804(3) of
15 the National Energy Conservation Policy Act (42 U.S.C.
16 8287c(3)) is amended to read as follows:

17 “(3) The terms ‘energy savings contract’ and
18 ‘energy savings performance contract’ mean a con-
19 tract that provides for the performance of services
20 for the design, acquisition, installation, testing, and,
21 where appropriate, operation, maintenance, and re-
22 pair, of an identified energy or water conservation
23 measure or series of measures at 1 or more loca-
24 tions. Such contracts shall, with respect to an agen-
25 cy facility that is a public building (as such term is



1 defined in section 3301 of title 40, United States
2 Code), be in compliance with the prospectus require-
3 ments and procedures of section 3307 of title 40,
4 United States Code.”.

5 (f) ENERGY OR WATER CONSERVATION MEASURE.—
6 Section 804(4) of the National Energy Conservation Pol-
7 icy Act (42 U.S.C. 8287c(4)) is amended to read as fol-
8 lows:

9 “(4) The term ‘energy or water conservation
10 measure’ means—

11 “(A) an energy conservation measure, as
12 defined in section 551; or

13 “(B) a water conservation measure that
14 improves the efficiency of water use, is life-cycle
15 cost-effective, and involves water conservation,
16 water recycling or reuse, more efficient treat-
17 ment of wastewater or stormwater, improve-
18 ments in operation or maintenance efficiencies,
19 retrofit activities, or other related activities, not
20 at a Federal hydroelectric facility.”.

21 (g) REVIEW.—Not later than 180 days after the date
22 of the enactment of this Act, the Secretary of Energy shall
23 complete a review of the Energy Savings Performance
24 Contract program to identify statutory, regulatory, and
25 administrative obstacles that prevent Federal agencies



1 from fully utilizing the program. In addition, this review
2 shall identify all areas for increasing program flexibility
3 and effectiveness, including audit and measurement ver-
4 ification requirements, accounting for energy use in deter-
5 mining savings, contracting requirements, including the
6 identification of additional qualified contractors, and en-
7 ergy efficiency services covered. The Secretary shall report
8 these findings to Congress and shall implement identified
9 administrative and regulatory changes to increase pro-
10 gram flexibility and effectiveness to the extent that such
11 changes are consistent with statutory authority.

12 (h) EXTENSION OF AUTHORITY.—Any energy sav-
13 ings performance contract entered into under section 801
14 of the National Energy Conservation Policy Act (42
15 U.S.C. 8287) after October 1, 2003, and before the date
16 of enactment of this Act, shall be deemed to have been
17 entered into pursuant to such section 801 as amended by
18 subsection (a) of this section.

19 **SEC. 106. ENERGY SAVINGS PERFORMANCE CONTRACTS**
20 **PILOT PROGRAM FOR NONBUILDING APPLI-**
21 **CATIONS.**

22 (a) IN GENERAL.—The Secretary of Defense and the
23 heads of other interested Federal agencies are authorized
24 to enter into up to 10 energy savings performance con-
25 tracts using procedures, established under subsection (b),



1 based on the procedures under title VIII of the National
2 Energy Conservation Policy Act (42 U.S.C. 8287 et seq.),
3 for the purpose of achieving energy or water savings, sec-
4 ondary savings, and benefits incidental to those purposes,
5 in nonbuilding applications. The payments to be made by
6 the Federal Government under such contracts shall not
7 exceed a total of \$200,000,000 for all such contracts com-
8 bined.

9 (b) PROCEDURES.—The Secretary of Energy, in con-
10 sultation with the Administrator of General Services and
11 the Secretary of Defense, shall establish procedures based
12 on the procedures under title VIII of the National Energy
13 Conservation Policy Act (42 U.S.C. 8287 et seq.), for im-
14 plementing this section.

15 (c) DEFINITIONS.—In this section:

16 (1) NONBUILDING APPLICATION.—The term
17 “nonbuilding application” means—

18 (A) any class of vehicles, devices, or equip-
19 ment that are transportable under their own
20 power by land, sea, or air that consume energy
21 from any fuel source for the purpose of such
22 transportability, or to maintain a controlled en-
23 vironment within such vehicle, device, or equip-
24 ment; or



1 (B) any Federally owned equipment used
2 to generate electricity or transport water.

3 (2) SECONDARY SAVINGS.—The term “sec-
4 ondary savings” means additional energy or cost
5 savings that are a direct consequence of the energy
6 or water savings that result from the financing and
7 implementation of the energy savings performance
8 contract, including, but not limited to, energy or cost
9 savings that result from a reduction in the need for
10 fuel delivery and logistical support, or the increased
11 efficiency in the production of electricity.

12 (d) REPORT.—Not later than 3 years after the date
13 of enactment of this section, the Secretary of Energy shall
14 report to Congress on the progress and results of the
15 projects funded pursuant to this section. Such report shall
16 include a description of projects undertaken; the energy,
17 water, and cost savings, secondary savings, and other ben-
18 efits that resulted from such projects; and recommenda-
19 tions on whether the pilot program should be extended,
20 expanded, or authorized permanently as a part of the pro-
21 gram authorized under title VIII of the National Energy
22 Conservation Policy Act (42 U.S.C. 8287 et seq.).



1 **SEC. 107. VOLUNTARY COMMITMENTS TO REDUCE INDUS-**
2 **TRIAL ENERGY INTENSITY.**

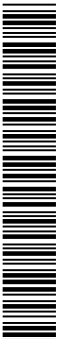
3 (a) VOLUNTARY AGREEMENTS.—The Secretary of
4 Energy is authorized to enter into voluntary agreements
5 with 1 or more persons in industrial sectors that consume
6 significant amounts of primary energy per unit of physical
7 output to reduce the energy intensity of their production
8 activities by a significant amount relative to improvements
9 in each sector in recent years.

10 (b) RECOGNITION.—The Secretary of Energy, in co-
11 operation with the Administrator of the Environmental
12 Protection Agency and other appropriate Federal agen-
13 cies, shall recognize and publicize the achievements of par-
14 ticipants in voluntary agreements under this section.

15 (c) DEFINITION.—In this section, the term “energy
16 intensity” means the primary energy consumed per unit
17 of physical output in an industrial process.

18 **SEC. 108. ADVANCED BUILDING EFFICIENCY TESTBED.**

19 (a) ESTABLISHMENT.—The Secretary of Energy, in
20 consultation with the Administrator of General Services,
21 shall establish an Advanced Building Efficiency Testbed
22 program for the development, testing, and demonstration
23 of advanced engineering systems, components, and mate-
24 rials to enable innovations in building technologies. The
25 program shall evaluate efficiency concepts for government
26 and industry buildings, and demonstrate the ability of



1 next generation buildings to support individual and orga-
2 nizational productivity and health (including by improving
3 indoor air quality) as well as flexibility and technological
4 change to improve environmental sustainability. Such pro-
5 gram shall complement and not duplicate existing national
6 programs.

7 (b) PARTICIPANTS.—The program established under
8 subsection (a) shall be led by a university with the ability
9 to combine the expertise from numerous academic fields
10 including, at a minimum, intelligent workplaces and ad-
11 vanced building systems and engineering, electrical and
12 computer engineering, computer science, architecture,
13 urban design, and environmental and mechanical engi-
14 neering. Such university shall partner with other univer-
15 sities and entities who have established programs and the
16 capability of advancing innovative building efficiency tech-
17 nologies.

18 (c) AUTHORIZATION OF APPROPRIATIONS.—There
19 are authorized to be appropriated to the Secretary of En-
20 ergy to carry out this section \$6,000,000 for each of the
21 fiscal years 2006 through 2008, to remain available until
22 expended. For any fiscal year in which funds are expended
23 under this section, the Secretary shall provide $\frac{1}{3}$ of the
24 total amount to the lead university described in subsection



1 (b), and provide the remaining $\frac{2}{3}$ to the other participants
2 referred to in subsection (b) on an equal basis.

3 **SEC. 109. FEDERAL BUILDING PERFORMANCE STANDARDS.**

4 Section 305(a) of the Energy Conservation and Pro-
5 duction Act (42 U.S.C. 6834(a)) is amended—

6 (1) in paragraph (2)(A), by striking “CABO
7 Model Energy Code, 1992” and inserting “the 2003
8 International Energy Conservation Code”; and

9 (2) by adding at the end the following:

10 “(3) REVISED FEDERAL BUILDING ENERGY EFFI-
11 CIENCY PERFORMANCE STANDARDS.—

12 “(A) IN GENERAL.—Not later than 1 year after
13 the date of enactment of this paragraph, the Sec-
14 retary of Energy shall establish, by rule, revised
15 Federal building energy efficiency performance
16 standards that require that—

17 “(i) if life-cycle cost-effective, for new Fed-
18 eral buildings—

19 “(I) such buildings be designed so as
20 to achieve energy consumption levels at
21 least 30 percent below those of the version
22 current as of the date of enactment of this
23 paragraph of the ASHRAE Standard or
24 the International Energy Conservation
25 Code, as appropriate; and



1 “(II) sustainable design principles are
2 applied to the siting, design, and construc-
3 tion of all new and replacement buildings;
4 and

5 “(ii) where water is used to achieve energy
6 efficiency, water conservation technologies shall
7 be applied to the extent they are life-cycle cost
8 effective.

9 “(B) ADDITIONAL REVISIONS.—Not later than
10 1 year after the date of approval of each subsequent
11 revision of the ASHRAE Standard or the Inter-
12 national Energy Conservation Code, as appropriate,
13 the Secretary of Energy shall determine, based on
14 the cost-effectiveness of the requirements under the
15 amendments, whether the revised standards estab-
16 lished under this paragraph should be updated to re-
17 flect the amendments.

18 “(C) STATEMENT ON COMPLIANCE OF NEW
19 BUILDINGS.—In the budget request of the Federal
20 agency for each fiscal year and each report sub-
21 mitted by the Federal agency under section 548(a)
22 of the National Energy Conservation Policy Act (42
23 U.S.C. 8258(a)), the head of each Federal agency
24 shall include—



1 “(i) a list of all new Federal buildings
2 owned, operated, or controlled by the Federal
3 agency; and

4 “(ii) a statement concerning whether the
5 Federal buildings meet or exceed the revised
6 standards established under this paragraph.”.

7 **SEC. 110. INCREASED USE OF RECOVERED MINERAL COM-**
8 **PONENT IN FEDERALLY FUNDED PROJECTS**
9 **INVOLVING PROCUREMENT OF CEMENT OR**
10 **CONCRETE.**

11 (a) AMENDMENT.—Subtitle F of the Solid Waste
12 Disposal Act (42 U.S.C. 6961 et seq.) is amended by add-
13 ing at the end the following new section:

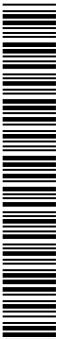
14 “INCREASED USE OF RECOVERED MINERAL COMPONENT
15 IN FEDERALLY FUNDED PROJECTS INVOLVING PRO-
16 CUREMENT OF CEMENT OR CONCRETE

17 “SEC. 6005. (a) DEFINITIONS.—In this section:

18 “(1) AGENCY HEAD.—The term ‘agency head’
19 means—

20 “(A) the Secretary of Transportation; and

21 “(B) the head of each other Federal agen-
22 cy that on a regular basis procures, or provides
23 Federal funds to pay or assist in paying the
24 cost of procuring, material for cement or con-
25 crete projects.



1 “(2) CEMENT OR CONCRETE PROJECT.—The
2 term ‘cement or concrete project’ means a project
3 for the construction or maintenance of a highway or
4 other transportation facility or a Federal, State, or
5 local government building or other public facility
6 that—

7 “(A) involves the procurement of cement
8 or concrete; and

9 “(B) is carried out in whole or in part
10 using Federal funds.

11 “(3) RECOVERED MINERAL COMPONENT.—The
12 term ‘recovered mineral component’ means—

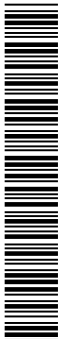
13 “(A) ground granulated blast furnace slag;

14 “(B) coal combustion fly ash; and

15 “(C) any other waste material or byprod-
16 uct recovered or diverted from solid waste that
17 the Administrator, in consultation with an
18 agency head, determines should be treated as
19 recovered mineral component under this section
20 for use in cement or concrete projects paid for,
21 in whole or in part, by the agency head.

22 “(b) IMPLEMENTATION OF REQUIREMENTS.—

23 “(1) IN GENERAL.—Not later than 1 year after
24 the date of enactment of this section, the Adminis-
25 trator and each agency head shall take such actions



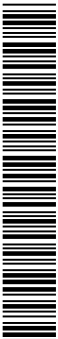
1 as are necessary to implement fully all procurement
2 requirements and incentives in effect as of the date
3 of enactment of this section (including guidelines
4 under section 6002) that provide for the use of ce-
5 ment and concrete incorporating recovered mineral
6 component in cement or concrete projects.

7 “(2) PRIORITY.—In carrying out paragraph (1)
8 an agency head shall give priority to achieving great-
9 er use of recovered mineral component in cement or
10 concrete projects for which recovered mineral compo-
11 nents historically have not been used or have been
12 used only minimally.

13 “(3) CONFORMANCE.—The Administrator and
14 each agency head shall carry out this subsection in
15 accordance with section 6002.

16 “(c) FULL IMPLEMENTATION STUDY.—

17 “(1) IN GENERAL.—The Administrator, in co-
18 operation with the Secretary of Transportation and
19 the Secretary of Energy, shall conduct a study to de-
20 termine the extent to which current procurement re-
21 quirements, when fully implemented in accordance
22 with subsection (b), may realize energy savings and
23 environmental benefits attainable with substitution
24 of recovered mineral component in cement used in
25 cement or concrete projects.



1 “(2) MATTERS TO BE ADDRESSED.—The study
2 shall—

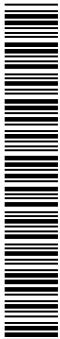
3 “(A) quantify the extent to which recov-
4 ered mineral components are being substituted
5 for Portland cement, particularly as a result of
6 current procurement requirements, and the en-
7 ergy savings and environmental benefits associ-
8 ated with that substitution;

9 “(B) identify all barriers in procurement
10 requirements to greater realization of energy
11 savings and environmental benefits, including
12 barriers resulting from exceptions from current
13 law; and

14 “(C)(i) identify potential mechanisms to
15 achieve greater substitution of recovered min-
16 eral component in types of cement or concrete
17 projects for which recovered mineral compo-
18 nents historically have not been used or have
19 been used only minimally;

20 “(ii) evaluate the feasibility of establishing
21 guidelines or standards for optimized substi-
22 tution rates of recovered mineral component in
23 those cement or concrete projects; and

24 “(iii) identify any potential environmental
25 or economic effects that may result from great-



1 er substitution of recovered mineral component
2 in those cement or concrete projects.

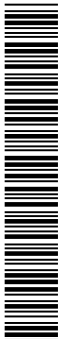
3 “(3) REPORT.—Not later than 30 months after
4 the date of enactment of this section, the Adminis-
5 trator shall submit to Congress a report on the
6 study.

7 “(d) ADDITIONAL PROCUREMENT REQUIREMENTS.—
8 Unless the study conducted under subsection (c) identifies
9 any effects or other problems described in subsection
10 (c)(2)(C)(iii) that warrant further review or delay, the Ad-
11 ministrators and each agency head shall, not later than 1
12 year after the release of the report in accordance with sub-
13 section (c)(3), take additional actions authorized under
14 this Act to establish procurement requirements and incen-
15 tives that provide for the use of cement and concrete with
16 increased substitution of recovered mineral component in
17 the construction and maintenance of cement or concrete
18 projects, so as to—

19 “(1) realize more fully the energy savings and
20 environmental benefits associated with increased
21 substitution; and

22 “(2) eliminate barriers identified under sub-
23 section (c).

24 “(e) EFFECT OF SECTION.—Nothing in this section
25 affects the requirements of section 6002 (including the



1 guidelines and specifications for implementing those re-
2 quirements).”.

3 (b) TABLE OF CONTENTS AMENDMENT.—The table
4 of contents of the Solid Waste Disposal Act is amended
5 by adding after the item relating to section 6004 the fol-
6 lowing new item:

“Sec. 6005. Increased use of recovered mineral component in federally funded
projects involving procurement of cement or concrete.”.

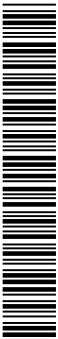
7 **Subtitle B—Energy Assistance and** 8 **State Programs**

9 **SEC. 121. LOW INCOME HOME ENERGY ASSISTANCE PRO-** 10 **GRAM.**

11 Section 2602(b) of the Low-Income Home Energy
12 Assistance Act of 1981 (42 U.S.C. 8621(b)) is amended
13 by striking “and \$2,000,000,000 for each of fiscal years
14 2002 through 2004” and inserting “and \$3,400,000,000
15 for each of fiscal years 2005 through 2007”.

16 **SEC. 122. WEATHERIZATION ASSISTANCE.**

17 Section 422 of the Energy Conservation and Produc-
18 tion Act (42 U.S.C. 6872) is amended by striking “for
19 fiscal years 1999 through 2003 such sums as may be nec-
20 essary” and inserting “\$325,000,000 for fiscal year 2006,
21 \$400,000,000 for fiscal year 2007, and \$500,000,000 for
22 fiscal year 2008”.



1 **SEC. 123. STATE ENERGY PROGRAMS.**

2 (a) STATE ENERGY CONSERVATION PLANS.—Section
3 362 of the Energy Policy and Conservation Act (42 U.S.C.
4 6322) is amended by inserting at the end the following
5 new subsection:

6 “(g) The Secretary shall, at least once every 3 years,
7 invite the Governor of each State to review and, if nec-
8 essary, revise the energy conservation plan of such State
9 submitted under subsection (b) or (e). Such reviews should
10 consider the energy conservation plans of other States
11 within the region, and identify opportunities and actions
12 carried out in pursuit of common energy conservation
13 goals.”.

14 (b) STATE ENERGY EFFICIENCY GOALS.—Section
15 364 of the Energy Policy and Conservation Act (42 U.S.C.
16 6324) is amended to read as follows:

17 “STATE ENERGY EFFICIENCY GOALS

18 “SEC. 364. Each State energy conservation plan with
19 respect to which assistance is made available under this
20 part on or after the date of enactment of the Energy Pol-
21 icy Act of 2005 shall contain a goal, consisting of an im-
22 provement of 25 percent or more in the efficiency of use
23 of energy in the State concerned in calendar year 2012
24 as compared to calendar year 1990, and may contain in-
25 terim goals.”.



1 (c) AUTHORIZATION OF APPROPRIATIONS.—Section
2 365(f) of the Energy Policy and Conservation Act (42
3 U.S.C. 6325(f)) is amended by striking “for fiscal years
4 1999 through 2003 such sums as may be necessary” and
5 inserting “\$100,000,000 for each of the fiscal years 2006
6 and 2007 and \$125,000,000 for fiscal year 2008”.

7 **SEC. 124. ENERGY EFFICIENT APPLIANCE REBATE PRO-**
8 **GRAMS.**

9 (a) DEFINITIONS.—In this section:

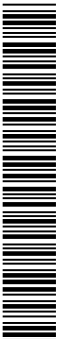
10 (1) ELIGIBLE STATE.—The term “eligible
11 State” means a State that meets the requirements
12 of subsection (b).

13 (2) ENERGY STAR PROGRAM.—The term “En-
14 ergy Star program” means the program established
15 by section 324A of the Energy Policy and Conserva-
16 tion Act.

17 (3) RESIDENTIAL ENERGY STAR PRODUCT.—
18 The term “residential Energy Star product” means
19 a product for a residence that is rated for energy ef-
20 ficiency under the Energy Star program.

21 (4) SECRETARY.—The term “Secretary” means
22 the Secretary of Energy.

23 (5) STATE ENERGY OFFICE.—The term “State
24 energy office” means the State agency responsible
25 for developing State energy conservation plans under



1 section 362 of the Energy Policy and Conservation
2 Act (42 U.S.C. 6322).

3 (6) STATE PROGRAM.—The term “State pro-
4 gram” means a State energy efficient appliance re-
5 bate program described in subsection (b)(1).

6 (b) ELIGIBLE STATES.—A State shall be eligible to
7 receive an allocation under subsection (c) if the State—

8 (1) establishes (or has established) a State en-
9 ergy efficient appliance rebate program to provide
10 rebates to residential consumers for the purchase of
11 residential Energy Star products to replace used ap-
12 pliances of the same type;

13 (2) submits an application for the allocation at
14 such time, in such form, and containing such infor-
15 mation as the Secretary may require; and

16 (3) provides assurances satisfactory to the Sec-
17 retary that the State will use the allocation to sup-
18 plement, but not supplant, funds made available to
19 carry out the State program.

20 (c) AMOUNT OF ALLOCATIONS.—

21 (1) IN GENERAL.—Subject to paragraph (2),
22 for each fiscal year, the Secretary shall allocate to
23 the State energy office of each eligible State to carry
24 out subsection (d) an amount equal to the product
25 obtained by multiplying the amount made available



1 under subsection (f) for the fiscal year by the ratio
2 that the population of the State in the most recent
3 calendar year for which data are available bears to
4 the total population of all eligible States in that cal-
5 endar year.

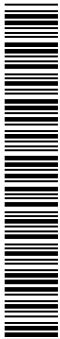
6 (2) MINIMUM ALLOCATIONS.—For each fiscal
7 year, the amounts allocated under this subsection
8 shall be adjusted proportionately so that no eligible
9 State is allocated a sum that is less than an amount
10 determined by the Secretary.

11 (d) USE OF ALLOCATED FUNDS.—The allocation to
12 a State energy office under subsection (c) may be used
13 to pay up to 50 percent of the cost of establishing and
14 carrying out a State program.

15 (e) ISSUANCE OF REBATES.—Rebates may be pro-
16 vided to residential consumers that meet the requirements
17 of the State program. The amount of a rebate shall be
18 determined by the State energy office, taking into
19 consideration—

20 (1) the amount of the allocation to the State
21 energy office under subsection (c);

22 (2) the amount of any Federal or State tax in-
23 centive available for the purchase of the residential
24 Energy Star product; and



1 (3) the difference between the cost of the resi-
2 dential Energy Star product and the cost of an ap-
3 pliance that is not a residential Energy Star prod-
4 uct, but is of the same type as, and is the nearest
5 capacity, performance, and other relevant character-
6 istics (as determined by the State energy office) to,
7 the residential Energy Star product.

8 (f) AUTHORIZATION OF APPROPRIATIONS.—There
9 are authorized to be appropriated to the Secretary to carry
10 out this section \$50,000,000 for each of the fiscal years
11 2006 through 2010.

12 **SEC. 125. ENERGY EFFICIENT PUBLIC BUILDINGS.**

13 (a) GRANTS.—The Secretary of Energy may make
14 grants to the State agency responsible for developing State
15 energy conservation plans under section 362 of the Energy
16 Policy and Conservation Act (42 U.S.C. 6322), or, if no
17 such agency exists, a State agency designated by the Gov-
18 ernor of the State, to assist units of local government in
19 the State in improving the energy efficiency of public
20 buildings and facilities—

21 (1) through construction of new energy efficient
22 public buildings that use at least 30 percent less en-
23 ergy than a comparable public building constructed
24 in compliance with standards prescribed in the most
25 recent version of the International Energy Conserva-



1 tion Code, or a similar State code intended to
2 achieve substantially equivalent efficiency levels; or

3 (2) through renovation of existing public build-
4 ings to achieve reductions in energy use of at least
5 30 percent as compared to the baseline energy use
6 in such buildings prior to renovation, assuming a 3-
7 year, weather-normalized average for calculating
8 such baseline.

9 (b) ADMINISTRATION.—State energy offices receiving
10 grants under this section shall—

11 (1) maintain such records and evidence of com-
12 pliance as the Secretary may require; and

13 (2) develop and distribute information and ma-
14 terials and conduct programs to provide technical
15 services and assistance to encourage planning, fi-
16 nancing, and design of energy efficient public build-
17 ings by units of local government.

18 (c) AUTHORIZATION OF APPROPRIATIONS.—For the
19 purposes of this section, there are authorized to be appro-
20 priated to the Secretary of Energy \$30,000,000 for each
21 of fiscal years 2006 through 2010. Not more than 10 per-
22 cent of appropriated funds shall be used for administra-
23 tion.



1 **SEC. 126. LOW INCOME COMMUNITY ENERGY EFFICIENCY**
2 **PILOT PROGRAM.**

3 (a) GRANTS.—The Secretary of Energy is authorized
4 to make grants to units of local government, private, non-
5 profit community development organizations, and Indian
6 tribe economic development entities to improve energy effi-
7 ciency; identify and develop alternative, renewable, and
8 distributed energy supplies; and increase energy conserva-
9 tion in low income rural and urban communities.

10 (b) PURPOSE OF GRANTS.—The Secretary may make
11 grants on a competitive basis for—

12 (1) investments that develop alternative, renew-
13 able, and distributed energy supplies;

14 (2) energy efficiency projects and energy con-
15 servation programs;

16 (3) studies and other activities that improve en-
17 ergy efficiency in low income rural and urban com-
18 munities;

19 (4) planning and development assistance for in-
20 creasing the energy efficiency of buildings and facili-
21 ties; and

22 (5) technical and financial assistance to local
23 government and private entities on developing new
24 renewable and distributed sources of power or com-
25 bined heat and power generation.



1 (c) DEFINITION.—For purposes of this section, the
2 term “Indian tribe” means any Indian tribe, band, nation,
3 or other organized group or community, including any
4 Alaskan Native village or regional or village corporation
5 as defined in or established pursuant to the Alaska Native
6 Claims Settlement Act (43 U.S.C. 1601 et seq.), that is
7 recognized as eligible for the special programs and services
8 provided by the United States to Indians because of their
9 status as Indians.

10 (d) AUTHORIZATION OF APPROPRIATIONS.—For the
11 purposes of this section there are authorized to be appro-
12 priated to the Secretary of Energy \$20,000,000 for each
13 of fiscal years 2006 through 2008.

14 **Subtitle C—Energy Efficient** 15 **Products**

16 **SEC. 131. ENERGY STAR PROGRAM.**

17 (a) AMENDMENT.—The Energy Policy and Conserva-
18 tion Act (42 U.S.C. 6201 et seq.) is amended by inserting
19 the following after section 324:

20 **“SEC. 324A. ENERGY STAR PROGRAM.**

21 “There is established at the Department of Energy
22 and the Environmental Protection Agency a voluntary
23 program to identify and promote energy-efficient products
24 and buildings in order to reduce energy consumption, im-
25 prove energy security, and reduce pollution through vol-



1 untary labeling of or other forms of communication about
2 products and buildings that meet the highest energy effi-
3 ciency standards. Responsibilities under the program shall
4 be divided between the Department of Energy and the En-
5 vironmental Protection Agency consistent with the terms
6 of agreements between the 2 agencies. The Administrator
7 and the Secretary shall—

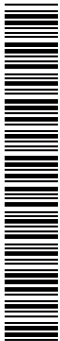
8 “(1) promote Energy Star compliant tech-
9 nologies as the preferred technologies in the market-
10 place for achieving energy efficiency and to reduce
11 pollution;

12 “(2) work to enhance public awareness of the
13 Energy Star label, including special outreach to
14 small businesses;

15 “(3) preserve the integrity of the Energy Star
16 label;

17 “(4) solicit comments from interested parties
18 prior to establishing or revising an Energy Star
19 product category, specification, or criterion (or effec-
20 tive dates for any of the foregoing);

21 “(5) upon adoption of a new or revised product
22 category, specification, or criterion, provide reason-
23 able notice to interested parties of any changes (in-
24 cluding effective dates) in product categories, speci-
25 fications, or criteria along with an explanation of



1 such changes and, where appropriate, responses to
2 comments submitted by interested parties; and

3 “(6) provide appropriate lead time (which shall
4 be 9 months, unless the Agency or Department de-
5 termines otherwise) prior to the effective date for a
6 new or a significant revision to a product category,
7 specification, or criterion, taking into account the
8 timing requirements of the manufacturing, product
9 marketing, and distribution process for the specific
10 product addressed.”.

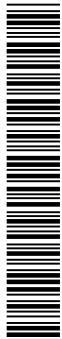
11 (b) TABLE OF CONTENTS AMENDMENT.—The table
12 of contents of the Energy Policy and Conservation Act is
13 amended by inserting after the item relating to section
14 324 the following new item:

“Sec. 324A. Energy Star program.”.

15 **SEC. 132. HVAC MAINTENANCE CONSUMER EDUCATION**
16 **PROGRAM.**

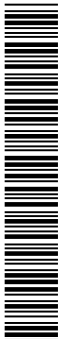
17 Section 337 of the Energy Policy and Conservation
18 Act (42 U.S.C. 6307) is amended by adding at the end
19 the following:

20 “(c) HVAC MAINTENANCE.—For the purpose of en-
21 suring that installed air conditioning and heating systems
22 operate at their maximum rated efficiency levels, the Sec-
23 retary shall, not later than 180 days after the date of en-
24 actment of this subsection, carry out a program to educate
25 homeowners and small business owners concerning the en-



1 ergy savings resulting from properly conducted mainte-
2 nance of air conditioning, heating, and ventilating sys-
3 tems. The Secretary shall carry out the program in a cost-
4 shared manner in cooperation with the Administrator of
5 the Environmental Protection Agency and such other enti-
6 ties as the Secretary considers appropriate, including in-
7 dustry trade associations, industry members, and energy
8 efficiency organizations.

9 “(d) SMALL BUSINESS EDUCATION AND ASSIST-
10 ANCE.—The Administrator of the Small Business Admin-
11 istration, in consultation with the Secretary of Energy and
12 the Administrator of the Environmental Protection Agen-
13 cy, shall develop and coordinate a Government-wide pro-
14 gram, building on the existing Energy Star for Small
15 Business Program, to assist small businesses to become
16 more energy efficient, understand the cost savings obtain-
17 able through efficiencies, and identify financing options
18 for energy efficiency upgrades. The Secretary and the Ad-
19 ministrator of the Small Business Administration shall
20 make the program information available directly to small
21 businesses and through other Federal agencies, including
22 the Federal Emergency Management Program and the
23 Department of Agriculture.”.



1 **SEC. 133. ENERGY CONSERVATION STANDARDS FOR ADDI-**
2 **TIONAL PRODUCTS.**

3 (a) DEFINITIONS.—Section 321 of the Energy Policy
4 and Conservation Act (42 U.S.C. 6291) is amended—

5 (1) in paragraph (30)(S), by striking the period
6 and adding at the end the following: “but does not
7 include any lamp specifically designed to be used for
8 special purpose applications and that is unlikely to
9 be used in general purpose applications such as
10 those described in subparagraph (D), and also does
11 not include any lamp not described in subparagraph
12 (D) that is excluded by the Secretary, by rule, be-
13 cause the lamp is designed for special applications
14 and is unlikely to be used in general purpose appli-
15 cations.”; and

16 (2) by adding at the end the following:

17 “(32) The term ‘battery charger’ means a de-
18 vice that charges batteries for consumer products
19 and includes battery chargers embedded in other
20 consumer products.

21 “(33) The term ‘commercial refrigerators,
22 freezers, and refrigerator-freezers’ means refrig-
23 erators, freezers, or refrigerator-freezers that—

24 “(A) are not consumer products regulated
25 under this Act; and



1 “(B) incorporate most components involved
2 in the vapor-compression cycle and the refrig-
3 erated compartment in a single package.

4 “(34) The term ‘external power supply’ means
5 an external power supply circuit that is used to con-
6 vert household electric current into either DC cur-
7 rent or lower-voltage AC current to operate a con-
8 sumer product.

9 “(35) The term ‘illuminated exit sign’ means a
10 sign that—

11 “(A) is designed to be permanently fixed in
12 place to identify an exit; and

13 “(B) consists of an electrically powered in-
14 tegral light source that illuminates the legend
15 ‘EXIT’ and any directional indicators and pro-
16 vides contrast between the legend, any direc-
17 tional indicators, and the background.

18 “(36)(A) Except as provided in subparagraph
19 (B), the term ‘distribution transformer’ means a
20 transformer that—

21 “(i) has an input voltage of 34.5 kilovolts
22 or less;

23 “(ii) has an output voltage of 600 volts or
24 less; and



1 “(iii) is rated for operation at a frequency
2 of 60 Hertz.

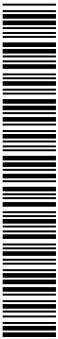
3 “(B) The term ‘distribution transformer’ does
4 not include—

5 “(i) transformers with multiple voltage
6 taps, with the highest voltage tap equaling at
7 least 20 percent more than the lowest voltage
8 tap;

9 “(ii) transformers, such as those commonly
10 known as drive transformers, rectifier trans-
11 formers, auto-transformers, Uninterruptible
12 Power System transformers, impedance trans-
13 formers, harmonic transformers, regulating
14 transformers, sealed and nonventilating trans-
15 formers, machine tool transformers, welding
16 transformers, grounding transformers, or test-
17 ing transformers, that are designed to be used
18 in a special purpose application and are unlikely
19 to be used in general purpose applications; or

20 “(iii) any transformer not listed in clause
21 (ii) that is excluded by the Secretary by rule
22 because—

23 “(I) the transformer is designed for a
24 special application;



1 “(II) the transformer is unlikely to be
2 used in general purpose applications; and

3 “(III) the application of standards to
4 the transformer would not result in signifi-
5 cant energy savings.

6 “(37) The term ‘low-voltage dry-type distribu-
7 tion transformer’ means a distribution transformer
8 that—

9 “(A) has an input voltage of 600 volts or
10 less;

11 “(B) is air-cooled; and

12 “(C) does not use oil as a coolant.

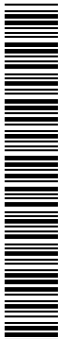
13 “(38) The term ‘standby mode’ means the low-
14 est power consumption mode that—

15 “(A) cannot be switched off or influenced
16 by the user; and

17 “(B) may persist for an indefinite time
18 when an appliance is connected to the main
19 electricity supply and used in accordance with
20 the manufacturer’s instructions,

21 as defined on an individual product basis by the Sec-
22 retary.

23 “(39) The term ‘torchiere’ means a portable
24 electric lamp with a reflector bowl that directs light
25 upward so as to give indirect illumination.



1 “(40) The term ‘traffic signal module’ means a
2 standard 8-inch (200mm) or 12-inch (300mm) traf-
3 fic signal indication, consisting of a light source, a
4 lens, and all other parts necessary for operation,
5 that communicates movement messages to drivers
6 through red, amber, and green colors.

7 “(41) The term ‘transformer’ means a device
8 consisting of 2 or more coils of insulated wire that
9 transfers alternating current by electromagnetic in-
10 duction from 1 coil to another to change the original
11 voltage or current value.

12 “(42) The term ‘unit heater’ means a self-con-
13 tained fan-type heater designed to be installed with-
14 in the heated space, except that such term does not
15 include a warm air furnace.”.

16 (b) TEST PROCEDURES.—Section 323 of the Energy
17 Policy and Conservation Act (42 U.S.C. 6293) is
18 amended—

19 (1) in subsection (b), by adding at the end the
20 following:

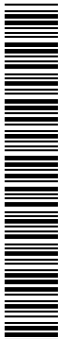
21 “(9) Test procedures for illuminated exit signs
22 shall be based on the test method used under Ver-
23 sion 2.0 of the Energy Star program of the Environ-
24 mental Protection Agency for illuminated exit signs.



1 “(10) Test procedures for distribution trans-
2 formers and low voltage dry-type distribution trans-
3 formers shall be based on the ‘Standard Test Meth-
4 od for Measuring the Energy Consumption of Dis-
5 tribution Transformers’ prescribed by the National
6 Electrical Manufacturers Association (NEMA TP 2–
7 1998). The Secretary may review and revise this test
8 procedure. For purposes of section 346(a), this test
9 procedure shall be deemed to be testing require-
10 ments prescribed by the Secretary under section
11 346(a)(1) for distribution transformers for which the
12 Secretary makes a determination that energy con-
13 servation standards would be technologically feasible
14 and economically justified, and would result in sig-
15 nificant energy savings.

16 “(11) Test procedures for traffic signal modules
17 shall be based on the test method used under the
18 Energy Star program of the Environmental Protec-
19 tion Agency for traffic signal modules, as in effect
20 on the date of enactment of this paragraph.

21 “(12) Test procedures for medium base com-
22 pact fluorescent lamps shall be based on the test
23 methods used under the August 9, 2001, version of
24 the Energy Star program of the Environmental Pro-
25 tection Agency and Department of Energy for com-

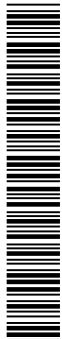


1 pact fluorescent lamps. Covered products shall meet
2 all test requirements for regulated parameters in
3 section 325(bb). However, covered products may be
4 marketed prior to completion of lamp life and lumen
5 maintenance at 40 percent of rated life testing pro-
6 vided manufacturers document engineering pre-
7 dictions and analysis that support expected attain-
8 ment of lumen maintenance at 40 percent rated life
9 and lamp life time.”; and

10 (2) by adding at the end the following:

11 “(f) ADDITIONAL CONSUMER AND COMMERCIAL
12 PRODUCTS.—The Secretary shall, not later than 24
13 months after the date of enactment of this subsection, pre-
14 scribe testing requirements for suspended ceiling fans, re-
15 frigerated bottled or canned beverage vending machines,
16 and commercial refrigerators, freezers, and refrigerator-
17 freezers. Such testing requirements shall be based on ex-
18 isting test procedures used in industry to the extent prac-
19 tical and reasonable. In the case of suspended ceiling fans,
20 such test procedures shall include efficiency at both max-
21 imum output and at an output no more than 50 percent
22 of the maximum output.”.

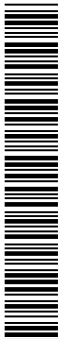
23 (c) NEW STANDARDS.—Section 325 of the Energy
24 Policy and Conservation Act (42 U.S.C. 6295) is amended
25 by adding at the end the following:



1 “(u) BATTERY CHARGER AND EXTERNAL POWER
2 SUPPLY ELECTRIC ENERGY CONSUMPTION.—

3 “(1) INITIAL RULEMAKING.—(A) The Secretary
4 shall, within 18 months after the date of enactment
5 of this subsection, prescribe by notice and comment,
6 definitions and test procedures for the power use of
7 battery chargers and external power supplies. In es-
8 tablishing these test procedures, the Secretary shall
9 consider, among other factors, existing definitions
10 and test procedures used for measuring energy con-
11 sumption in standby mode and other modes and as-
12 sess the current and projected future market for
13 battery chargers and external power supplies. This
14 assessment shall include estimates of the significance
15 of potential energy savings from technical improve-
16 ments to these products and suggested product
17 classes for standards. Prior to the end of this time
18 period, the Secretary shall hold a scoping workshop
19 to discuss and receive comments on plans for devel-
20 oping energy conservation standards for energy use
21 for these products.

22 “(B) The Secretary shall, within 3 years after
23 the date of enactment of this subsection, issue a
24 final rule that determines whether energy conserva-
25 tion standards shall be issued for battery chargers



1 and external power supplies or classes thereof. For
2 each product class, any such standards shall be set
3 at the lowest level of energy use that—

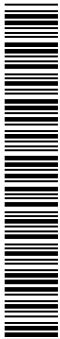
4 “(i) meets the criteria and procedures of
5 subsections (o), (p), (q), (r), (s), and (t); and

6 “(ii) will result in significant overall an-
7 nual energy savings, considering both standby
8 mode and other operating modes.

9 “(2) REVIEW OF STANDBY ENERGY USE IN
10 COVERED PRODUCTS.—In determining pursuant to
11 section 323 whether test procedures and energy con-
12 servation standards pursuant to this section should
13 be revised, the Secretary shall consider, for covered
14 products that are major sources of standby mode en-
15 ergy consumption, whether to incorporate standby
16 mode into such test procedures and energy conserva-
17 tion standards, taking into account, among other
18 relevant factors, standby mode power consumption
19 compared to overall product energy consumption.

20 “(3) RULEMAKING.—The Secretary shall not
21 propose a standard under this section unless the
22 Secretary has issued applicable test procedures for
23 each product pursuant to section 323.

24 “(4) EFFECTIVE DATE.—Any standard issued
25 under this subsection shall be applicable to products



1 manufactured or imported 3 years after the date of
2 issuance.

3 “(5) VOLUNTARY PROGRAMS.—The Secretary
4 and the Administrator shall collaborate and develop
5 programs, including programs pursuant to section
6 324A (relating to Energy Star Programs) and other
7 voluntary industry agreements or codes of conduct,
8 that are designed to reduce standby mode energy
9 use.

10 “(v) SUSPENDED CEILING FANS, VENDING MA-
11 CHINES, AND COMMERCIAL REFRIGERATORS, FREEZERS,
12 AND REFRIGERATOR-FREEZERS.—The Secretary shall not
13 later than 36 months after the date on which testing re-
14 quirements are prescribed by the Secretary pursuant to
15 section 323(f), prescribe, by rule, energy conservation
16 standards for suspended ceiling fans, refrigerated bottled
17 or canned beverage vending machines, and commercial re-
18 frigerators, freezers, and refrigerator-freezers. In estab-
19 lishing standards under this subsection, the Secretary
20 shall use the criteria and procedures contained in sub-
21 sections (o) and (p). Any standard prescribed under this
22 subsection shall apply to products manufactured 3 years
23 after the date of publication of a final rule establishing
24 such standard.



1 “(w) ILLUMINATED EXIT SIGNS.—Illuminated exit
2 signs manufactured on or after January 1, 2007, shall
3 meet the Version 2.0 Energy Star Program performance
4 requirements for illuminated exit signs prescribed by the
5 Environmental Protection Agency.

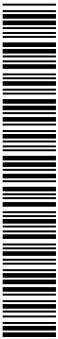
6 “(x) TORCHIERES.—Torchieres manufactured on or
7 after January 1, 2007—

8 “(1) shall consume not more than 190 watts of
9 power; and

10 “(2) shall not be capable of operating with
11 lamps that total more than 190 watts.

12 “(y) LOW VOLTAGE DRY-TYPE DISTRIBUTION
13 TRANSFORMERS.—The efficiency of low voltage dry-type
14 distribution transformers manufactured on or after Janu-
15 ary 1, 2007, shall be the Class I Efficiency Levels for dis-
16 tribution transformers specified in Table 4–2 of the ‘Guide
17 for Determining Energy Efficiency for Distribution Trans-
18 formers’ published by the National Electrical Manufactur-
19 ers Association (NEMA TP–1–2002).

20 “(z) TRAFFIC SIGNAL MODULES.—Traffic signal
21 modules manufactured on or after January 1, 2008, shall
22 meet the performance requirements used under the En-
23 ergy Star program of the Environmental Protection Agen-
24 cy for traffic signals, as in effect on the date of enactment
25 of this subsection, and shall be installed with compatible,



1 electrically connected signal control interface devices and
2 conflict monitoring systems.

3 “(aa) UNIT HEATERS.—Unit heaters manufactured
4 on or after the date that is 3 years after the date of enact-
5 ment of this subsection shall be equipped with an intermit-
6 tent ignition device and shall have either power venting
7 or an automatic flue damper.

8 “(bb) MEDIUM BASE COMPACT FLUORESCENT
9 LAMPS.—Bare lamp and covered lamp (no reflector) me-
10 dium base compact fluorescent lamps manufactured on or
11 after January 1, 2007, shall meet the following require-
12 ments prescribed by the August 9, 2001, version of the
13 Energy Star Program Requirements for Compact Fluores-
14 cent Lamps, Energy Star Eligibility Criteria, Energy-Effi-
15 ciency Specification issued by the Environmental Protec-
16 tion Agency and Department of Energy: minimum initial
17 efficacy; lumen maintenance at 1000 hours; lumen mainte-
18 nance at 40 percent of rated life; rapid cycle stress test;
19 and lamp life. The Secretary may, by rule, establish re-
20 quirements for color quality (CRI); power factor; oper-
21 ating frequency; and maximum allowable start time based
22 on the requirements prescribed by the August 9, 2001,
23 version of the Energy Star Program Requirements for
24 Compact Fluorescent Lamps. The Secretary may, by rule,
25 revise these requirements or establish other requirements



1 considering energy savings, cost effectiveness, and con-
2 sumer satisfaction.

3 “(cc) EFFECTIVE DATE.—Section 327 shall apply—

4 “(1) to products for which standards are to be
5 established under subsections (u) and (v) on the
6 date on which a final rule is issued by the Depart-
7 ment of Energy, except that any State or local
8 standards prescribed or enacted for any such prod-
9 uct prior to the date on which such final rule is
10 issued shall not be preempted until the standard es-
11 tablished under subsection (u) or (v) for that prod-
12 uct takes effect; and

13 “(2) to products for which standards are estab-
14 lished under subsections (w) through (bb) on the
15 date of enactment of those subsections, except that
16 any State or local standards prescribed or enacted
17 prior to the date of enactment of those subsections
18 shall not be preempted until the standards estab-
19 lished under subsections (w) through (bb) take ef-
20 fect.”.

21 (d) RESIDENTIAL FURNACE FANS.—Section
22 325(f)(3) of the Energy Policy and Conservation Act (42
23 U.S.C. 6295(f)(3)) is amended by adding the following
24 new subparagraph at the end:



1 “(D) Notwithstanding any provision of this Act, the
2 Secretary may consider, and prescribe, if the requirements
3 of subsection (o) of this section are met, energy efficiency
4 or energy use standards for electricity used for purposes
5 of circulating air through duct work.”.

6 **SEC. 134. ENERGY LABELING.**

7 (a) RULEMAKING ON EFFECTIVENESS OF CONSUMER
8 PRODUCT LABELING.—Section 324(a)(2) of the Energy
9 Policy and Conservation Act (42 U.S.C. 6294(a)(2)) is
10 amended by adding at the end the following:

11 “(F) Not later than 3 months after the date of enact-
12 ment of this subparagraph, the Commission shall initiate
13 a rulemaking to consider the effectiveness of the current
14 consumer products labeling program in assisting con-
15 sumers in making purchasing decisions and improving en-
16 ergy efficiency and to consider changes to the labeling
17 rules that would improve the effectiveness of consumer
18 product labels. Such rulemaking shall be completed not
19 later than 2 years after the date of enactment of this sub-
20 paragraph.”.

21 (b) RULEMAKING ON LABELING FOR ADDITIONAL
22 PRODUCTS.—Section 324(a) of the Energy Policy and
23 Conservation Act (42 U.S.C. 6294(a)) is further amended
24 by adding at the end the following:



1 “(5) The Secretary or the Commission, as appro-
2 priate, may, for covered products referred to in sub-
3 sections (u) through (aa) of section 325, prescribe, by rule,
4 pursuant to this section, labeling requirements for such
5 products after a test procedure has been set pursuant to
6 section 323. In the case of products to which TP–1 stand-
7 ards under section 325(y) apply, labeling requirements
8 shall be based on the ‘Standard for the Labeling of Dis-
9 tribution Transformer Efficiency’ prescribed by the Na-
10 tional Electrical Manufacturers Association (NEMA TP–
11 3) as in effect upon the date of enactment of this para-
12 graph.”.

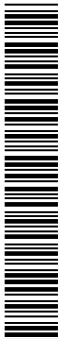
13 **Subtitle D—Public Housing**

14 **SEC. 141. CAPACITY BUILDING FOR ENERGY-EFFICIENT, AF-** 15 **FORDABLE HOUSING.**

16 Section 4(b) of the HUD Demonstration Act of 1993
17 (42 U.S.C. 9816 note) is amended—

18 (1) in paragraph (1), by inserting before the
19 semicolon at the end the following: “, including ca-
20 pabilities regarding the provision of energy efficient,
21 affordable housing and residential energy conserva-
22 tion measures”; and

23 (2) in paragraph (2), by inserting before the
24 semicolon the following: “, including such activities
25 relating to the provision of energy efficient, afford-



1 able housing and residential energy conservation
2 measures that benefit low-income families”.

3 **SEC. 142. INCREASE OF CDBG PUBLIC SERVICES CAP FOR**
4 **ENERGY CONSERVATION AND EFFICIENCY**
5 **ACTIVITIES.**

6 Section 105(a)(8) of the Housing and Community
7 Development Act of 1974 (42 U.S.C. 5305(a)(8)) is
8 amended—

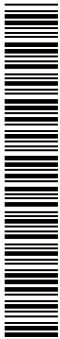
9 (1) by inserting “or efficiency” after “energy
10 conservation”;

11 (2) by striking “, and except that” and insert-
12 ing “; except that”; and

13 (3) by inserting before the semicolon at the end
14 the following: “; and except that each percentage
15 limitation under this paragraph on the amount of
16 assistance provided under this title that may be used
17 for the provision of public services is hereby in-
18 creased by 10 percent, but such percentage increase
19 may be used only for the provision of public services
20 concerning energy conservation or efficiency”.

21 **SEC. 143. FHA MORTGAGE INSURANCE INCENTIVES FOR**
22 **ENERGY EFFICIENT HOUSING.**

23 (a) SINGLE FAMILY HOUSING MORTGAGE INSUR-
24 ANCE.—Section 203(b)(2) of the National Housing Act
25 (12 U.S.C. 1709(b)(2)) is amended, in the first undesig-



1 nated paragraph beginning after subparagraph (B)(ii)(IV)
2 (relating to solar energy systems), by striking “20 per-
3 cent” and inserting “30 percent”.

4 (b) MULTIFAMILY HOUSING MORTGAGE INSUR-
5 ANCE.—Section 207(c) of the National Housing Act (12
6 U.S.C. 1713(c)) is amended, in the last undesignated
7 paragraph beginning after paragraph (3) (relating to solar
8 energy systems and residential energy conservation meas-
9 ures), by striking “20 percent” and inserting “30 per-
10 cent”.

11 (c) COOPERATIVE HOUSING MORTGAGE INSUR-
12 ANCE.—Section 213(p) of the National Housing Act (12
13 U.S.C. 1715e(p)) is amended by striking “20 per centum”
14 and inserting “30 percent”.

15 (d) REHABILITATION AND NEIGHBORHOOD CON-
16 SERVATION HOUSING MORTGAGE INSURANCE.—Section
17 220(d)(3)(B)(iii)(IV) of the National Housing Act (12
18 U.S.C. 1715k(d)(3)(B)(iii)(IV)) is amended—

19 (1) by striking “with respect to rehabilitation
20 projects involving not more than five family units,”;
21 and

22 (2) by striking “20 per centum” and inserting
23 “30 percent”.

24 (e) LOW-INCOME MULTIFAMILY HOUSING MORT-
25 GAGE INSURANCE.—Section 221(k) of the National Hous-



1 ing Act (12 U.S.C. 1715l(k)) is amended by striking “20
2 per centum” and inserting “30 percent”.

3 (f) ELDERLY HOUSING MORTGAGE INSURANCE.—
4 Section 231(c)(2)(C) of the National Housing Act (12
5 U.S.C. 1715v(c)(2)(C)) is amended by striking “20 per
6 centum” and inserting “30 percent”.

7 (g) CONDOMINIUM HOUSING MORTGAGE INSUR-
8 ANCE.—Section 234(j) of the National Housing Act (12
9 U.S.C. 1715y(j)) is amended by striking “20 per centum”
10 and inserting “30 percent”.

11 **SEC. 144. PUBLIC HOUSING CAPITAL FUND.**

12 Section 9 of the United States Housing Act of 1937
13 (42 U.S.C. 1437g) is amended—

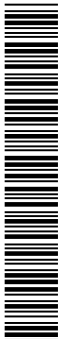
14 (1) in subsection (d)(1)—

15 (A) in subparagraph (I), by striking “and”
16 at the end;

17 (B) in subparagraph (J), by striking the
18 period at the end and inserting a semicolon;
19 and

20 (C) by adding at the end the following new
21 subparagraphs:

22 “(K) improvement of energy and water-use
23 efficiency by installing fixtures and fittings that
24 conform to the American Society of Mechanical
25 Engineers/American National Standards Insti-



1 tute standards A112.19.2–1998 and
2 A112.18.1–2000, or any revision thereto, appli-
3 cable at the time of installation, and by increas-
4 ing energy efficiency and water conservation by
5 such other means as the Secretary determines
6 are appropriate; and

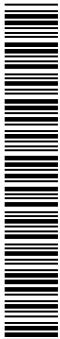
7 “(L) integrated utility management and
8 capital planning to maximize energy conserva-
9 tion and efficiency measures.”; and
10 (2) in subsection (e)(2)(C)—

11 (A) by striking “The” and inserting the
12 following:

13 “(i) IN GENERAL.—The”; and

14 (B) by adding at the end the following:

15 “(ii) THIRD PARTY CONTRACTS.—
16 Contracts described in clause (i) may in-
17 clude contracts for equipment conversions
18 to less costly utility sources, projects with
19 resident-paid utilities, and adjustments to
20 frozen base year consumption, including
21 systems repaired to meet applicable build-
22 ing and safety codes and adjustments for
23 occupancy rates increased by rehabilita-
24 tion.



1 “(iii) TERM OF CONTRACT.—The total
2 term of a contract described in clause (i)
3 shall not exceed 20 years to allow longer
4 payback periods for retrofits, including
5 windows, heating system replacements,
6 wall insulation, site-based generation, ad-
7 vanced energy savings technologies, includ-
8 ing renewable energy generation, and other
9 such retrofits.”.

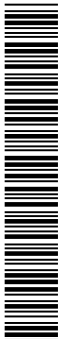
10 **SEC. 145. GRANTS FOR ENERGY-CONSERVING IMPROVE-**
11 **MENTS FOR ASSISTED HOUSING.**

12 Section 251(b)(1) of the National Energy Conserva-
13 tion Policy Act (42 U.S.C. 8231(1)) is amended—

14 (1) by striking “financed with loans” and in-
15 serting “assisted”;

16 (2) by inserting after “1959,” the following:
17 “which are eligible multifamily housing projects (as
18 such term is defined in section 512 of the Multi-
19 family Assisted Housing Reform and Affordability
20 Act of 1997 (42 U.S.C. 1437f note)) and are subject
21 to mortgage restructuring and rental assistance suf-
22 ficiency plans under such Act,”; and

23 (3) by inserting after the period at the end of
24 the first sentence the following new sentence: “Such
25 improvements may also include the installation of



1 energy and water conserving fixtures and fittings
2 that conform to the American Society of Mechanical
3 Engineers/American National Standards Institute
4 standards A112.19.2–1998 and A112.18.1–2000, or
5 any revision thereto, applicable at the time of instal-
6 lation.”.

7 **SEC. 146. NORTH AMERICAN DEVELOPMENT BANK.**

8 Part 2 of subtitle D of title V of the North American
9 Free Trade Agreement Implementation Act (22 U.S.C.
10 290m–290m-3) is amended by adding at the end the fol-
11 lowing:

12 **“SEC. 545. SUPPORT FOR CERTAIN ENERGY POLICIES.**

13 “Consistent with the focus of the Bank’s Charter on
14 environmental infrastructure projects, the Board members
15 representing the United States should use their voice and
16 vote to encourage the Bank to finance projects related to
17 clean and efficient energy, including energy conservation,
18 that prevent, control, or reduce environmental pollutants
19 or contaminants.”.

20 **SEC. 147. ENERGY-EFFICIENT APPLIANCES.**

21 In purchasing appliances, a public housing agency
22 shall purchase energy-efficient appliances that are Energy
23 Star products or FEMP-designated products, as such
24 terms are defined in section 553 of the National Energy
25 Conservation Policy Act (as amended by this title), unless



1 the purchase of energy-efficient appliances is not cost-ef-
2 fective to the agency.

3 **SEC. 148. ENERGY EFFICIENCY STANDARDS.**

4 Section 109 of the Cranston-Gonzalez National Af-
5 fordable Housing Act (42 U.S.C. 12709) is amended—

6 (1) in subsection (a)—

7 (A) in paragraph (1)—

8 (i) by striking “1 year after the date
9 of the enactment of the Energy Policy Act
10 of 1992” and inserting “September 30,
11 2006”;

12 (ii) in subparagraph (A), by striking
13 “and” at the end;

14 (iii) in subparagraph (B), by striking
15 the period at the end and inserting “;
16 and”; and

17 (iv) by adding at the end the fol-
18 lowing:

19 “(C) rehabilitation and new construction of
20 public and assisted housing funded by HOPE
21 VI revitalization grants under section 24 of the
22 United States Housing Act of 1937 (42 U.S.C.
23 1437v), where such standards are determined
24 to be cost effective by the Secretary of Housing
25 and Urban Development.”; and



1 (B) in paragraph (2), by striking “Council
2 of American” and all that follows through
3 “90.1–1989”)” and inserting “2003 Inter-
4 national Energy Conservation Code”;
5 (2) in subsection (b)—

6 (A) by striking “within 1 year after the
7 date of the enactment of the Energy Policy Act
8 of 1992” and inserting “by September 30,
9 2006”; and

10 (B) by striking “CABO” and all that fol-
11 lows through “1989” and inserting “the 2003
12 International Energy Conservation Code”; and
13 (3) in subsection (c)—

14 (A) in the heading, by striking “MODEL
15 ENERGY CODE” and inserting “THE INTER-
16 NATIONAL ENERGY CONSERVATION CODE”;
17 and

18 (B) by striking “CABO” and all that fol-
19 lows through “1989” and inserting “the 2003
20 International Energy Conservation Code”.

21 **SEC. 149. ENERGY STRATEGY FOR HUD.**

22 The Secretary of Housing and Urban Development
23 shall develop and implement an integrated strategy to re-
24 duce utility expenses through cost-effective energy con-
25 servation and efficiency measures and energy efficient de-



1 sign and construction of public and assisted housing. The
2 energy strategy shall include the development of energy
3 reduction goals and incentives for public housing agencies.
4 The Secretary shall submit a report to Congress, not later
5 than 1 year after the date of the enactment of this Act,
6 on the energy strategy and the actions taken by the De-
7 partment of Housing and Urban Development to monitor
8 the energy usage of public housing agencies and shall sub-
9 mit an update every 2 years thereafter on progress in im-
10 plementing the strategy.

